

FILED

NOV 16 2022

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

MONTEZ L. MONTGOMERY

Defendant.

) No. **4:22CR649-RLW/JMB**

MOTION FOR PRETRIAL DETENTION AND HEARING

The United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Cassandra J. Wiemken, Assistant United States Attorney for said District, moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with one count of armed carjacking and one count of brandishing a firearm in furtherance of a crime of violence.
2. The rebuttable presumption of detention applies to Defendant. Title 18, United States Code, Section 3142(e)(3)(B).
3. Pursuant to Title 18, United States Code, Section 3142(g), the weight of the evidence against Defendant, the Defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by Defendant's release further warrant Defendant's detention pending trial. Specifically, this case relates to the armed carjacking of a Sheriff's Deputy near the Enterprise Center in downtown St. Louis. The carjackers pointed

a gun at the Sheriff's Deputy and stole his vehicle. They also stole his duty gun, as well as his phone. A few hours later, following a police pursuit in Illinois, the officers apprehended Defendant in the carjacked vehicle. While he claimed he was not present for the actual carjacking, Defendant admitted to providing the gun to two juvenile carjackers for the express purpose of completing a carjacking in St. Louis. Additionally, Defendant provided detailed information about the actual carjacking. And, Defendant admitted to hiding the carjacked vehicle for a bit after the carjacking and discarding the Deputy's belongings from the vehicle. With regard to his eventual apprehension in the carjacked vehicle, Defendant stated that they would not have gotten caught if one of the juveniles could drive a stolen vehicle.

4. Following the pursuit, officers found Defendant's gun near the driver's side door of the carjacked vehicle. Defendant said that it was the gun used in the carjacking.

5. The instant offense demonstrates both a flight risk and danger to the community. The carjacking was brazen—the Deputy was in uniform right by the Enterprise Center. The armed carjackers took his duty gun off him, stole his phone, and took his car. The carjackers pointed a gun at the Deputy. While Defendant maintains he was not actually there, he had detailed knowledge of the carjackings and admitted to knowing that the carjacking was going to occur. And, Defendant admitted to hiding the vehicle and subsequently using the vehicle. Defendant also admitted to discarding items from the vehicle (some of those items were later located and had "Sheriff's Department" listed on them). Plainly, Defendant's admission to arming juvenile carjackers, coupled with his subsequent flight and actions in hiding evidence, demonstrate both a flight risk and danger to the community.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

s/ Cassandra J. Wiemken
Cassandra J. Wiemken, #91586KY
Assistant United States Attorney